

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

MOTION OF THE UNITED STATES OF  
AMERICA FOR AUTHORIZATION TO  
DELAY NOTICE OF DISCLOSURE OF  
SEARCH WARRANT AUTHORIZING THE  
OPENING OF UNITED STATES PRIORITY  
MAIL PARCEL  
9505 5100 4992 1110 3398 96

Magistrate No. 21-881  
**[UNDER SEAL]**

MOTION FOR AUTHORIZATION TO DELAY NOTICE OF DISCLOSURE OF  
LOCATION DATA RELATING TO A WIRELESS TELEPHONE

1. On April 23, 2021, at the magistrate number listed above, a warrant (“the Warrant”) was issued authorizing the United States Postal Service – Office of the Inspector General to open United States Priority Mail Parcel 9505 5100 4992 1110 3398 96 (“SUBJECT PARCEL”).

2. Pursuant to the Warrants, the executing officer opened the SUBJECT PARCEL on April 23, 2021.

3. The Warrant stated “Pursuant to 18 U.S.C. § 3103a(b), I find that immediate notification may have an adverse result listed in 18 U.S.C. 2705 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose property, will be search or seized for 30 days.”

4. The 30 day period of delayed disclosure regarding the notification to the owner of the SUBJECT PARCEL expires on May 22, 2021. The investigation of the owner of the SUBJECT PARCEL remains quite active.

5. Notification at this time to the owner of the SUBJECT PARCEL would very likely cause the owner to, among other things, discard evidence and further fortify and conceal their criminal operation. In doing so, evidence is likely to be lost or never obtained, suspects may flee the jurisdiction, and the safety of informants and law enforcement officers may be imperiled. Such

reactions would seriously jeopardize the ongoing investigation because, among other things, it has not yet generated available and admissible evidence sufficient to prove beyond a reasonable doubt the full scope of the drug trafficking and other serious crimes committed by the owner of the SUBJECT PARCEL.

6. Based upon the foregoing, the United States hereby applies, pursuant to 18 U.S.C. § 3103a to the extent applicable, for authorization to delay notice, if necessary, to the owner of the SUBJECT PARCEL for an additional period of 90 days from the date of this Court's Order. Notice, if necessary, will be provided prior to the expiration of the 90-day period if, during that period, the status of the investigation changes such that notification would no longer be likely to cause an adverse result as defined in 18 U.S.C. § 2705.

7. Because, as explained above, the investigation is ongoing, it is further respectfully requested that all orders and other papers filed with or resulting from this application be ordered sealed until further notice.

/s/ Jonathan D. Lusty  
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